

other documents proposing or supporting proposed programs or projects.

(7) Coordinate appropriate environmental documents and public affairs initiatives with HQDA agencies and the Army Environmental Office.

(8) Designate, record, and report the identity of the agency's single POC for NEPA considerations to the Army Environmental Office.

(9) Assist in the review of environmental documents prepared by DOD and other Army or Federal agencies, as requested.

(10) Coordinate proposed directives, instructions, regulations, and major policy publications that have environmental implications with the Army Environmental Office.

(11) Maintain the capability (personnel and other resources) to comply with the requirements of this regulation (See 40 CFR 1507.2.)

(12) Prepare and maintain a ROD on EISs for which they are the staff proponent.

(13) Develop public affairs initiatives, when appropriate, for actions requiring EAs and EISs.

(k) Installation, activity, and unit commanders will accomplish responsibilities listed in paragraphs (j) (1) through (3), (5), (7), and (9) of this section.

§ 651.5 Policies.

(a) The DA will endeavor to ensure the wise use of natural resources on Army land. The DA will match military mission activities with the ecological compatibility of the land and natural resources in order to maintain resources for realistic training, while minimizing the adverse impact on the human and natural environment. Decisionmakers will be cognizant of, and responsible for, the impact of their decisions on cultural resources; soils, forests, rangelands, water and air quality, and fish and wildlife; as well as other natural resources under their stewardship. The DA will identify significant environmental effects of proposed programs and projects in adequate detail. These effects will be considered in the decision process along with technical, economic, and other necessary factors. DA will carry out the mission of national security in a manner consistent

with NEPA and other applicable environmental standards, laws, and policies. DA will employ all practicable means consistent with other essential considerations of national policy to minimize or avoid adverse environmental consequences and attain the goals and objectives stated in sections 101 and 102 of NEPA. (See Appendix C.)

(b) Environmental considerations will be integrated into the decision-making process to ensure that—

(1) Major decision points are designated for principal programs and proposals likely to have a significant effect on the quality of the human environment, while providing for the NEPA process to coincide with these decision points.

(2) Relevant environmental documents, comments, and responses accompany the proposal through the existing Army review and the decision-making process. The Army will integrate NEPA requirements with other planning and environmental review procedures required by law or Army practice so that review of environmental considerations is concurrent rather than consecutive.

(3) The alternatives considered are within the range of alternatives discussed in relevant environmental documents.

(c) Worldwide and long-range character of environmental problems will be recognized, and where consistent with national security requirements and United States (U.S.) foreign policy, appropriate support will be given to initiatives, resolutions, and programs designed to maximize international cooperation in protecting the quality of the world human environment. In accordance with Executive Order 12114, DOD Directive 6050.7, and subpart H of this regulation, an environmental planning and evaluation process will be incorporated into Army actions that may significantly affect global commons, environments of other nations, or any protected natural or ecological resources of global importance. (See subpart H.)

(d) Laws, other than NEPA, that require the Army to gain approval of other Federal, State, or local Government agencies before taking actions

that may have environmental consequences will be obeyed. However, compliance does not relieve the responsible official from preparing environmental impact analyses and processing necessary environmental documents. NEPA compliance is required unless existing law, applicable to a specific action or activity, prohibits, exempts, or makes compliance impossible.

(e) When appropriate, environmental documentation to consider operations security principles and procedures described in AR 530-1 will be reviewed and documented on the cover sheet or signature page.

§651.6 Procedures.

(a) The Assistant Chief of Engineers retains a copy of each draft and final EIS (Draft Environmental Impact Statement (DEIS) and Final Environmental Impact Statement (FEIS)) prepared by the Army. The EIS will be retained until the proposed action and any mitigation program is complete or the information therein is no longer valid. The EIS is then deposited in the National Archives and Records Administration.

(b) DA agencies are encouraged to draw upon the special expertise that is available within the medical department, including the U.S. Army Environmental Hygiene Agency (AEHA), to identify and evaluate environmental health impacts.

(c) Military Construction Army/Military Construction ARNG (MCA/MCAR) funds may not be used for preparation of environmental documents. Operations and Maintenance/Operation and Maintenance, ARNG (OMA/OMAR) or other operating funds are the proper sources of funds for environmental document preparation.

(d) The proponent for federally funded ARNG actions is the National Guard Bureau (NGB) division in whose area of responsibility the action rests. For instance, National Guard Bureau-Installations Division (NGB-ARI) would be the proponent for proposed training activities. The NGB division proponent performs the actions described in this section with the States or territories affected by the proposed action.

(e) In specific cases, such as the construction of a water treatment facility

or a flood control plan, the engineer could be the proponent. The engineer and/or his environmental management staff should advise proponents as to the format and technical data that must be considered in the environmental document. The engineer's environmental management staff is, however, responsible for reviewing each environmental document for compliance with NEPA and appropriate Army and/or ARNG regulations. No matter who prepares the environmental document, the proponent remains responsible for its content and conclusions.

(f) The decisionmaking process often subjects proposal decisions to review and/or approval by higher level authorities including HQDA proponent (defined in the Glossary); therefore, the review and approval of the environmental document follows the same channel of review and approval as that of the proposed action. This does not apply to federally funded ARNG actions since the NGB division, which is the proponent for such actions, is also the HQDA proponent.

Subpart B—National Environmental Policy Act (NEPA) and the Decision Process

§651.7 Introduction.

(a) NEPA establishes policies and goals for the protection of the environment. Section 102(2) of NEPA contains certain procedural requirements directed toward the attainment of such goals. (See appendix C for a copy of NEPA.) The CEQ issued regulations to implement the procedural provisions of NEPA and they are provided in appendix E. Implementing procedures to CEQ regulations are contained in DOD Directive 6050.1 (applicable in the continental United States (CONUS)) and DOD Directive 6050.7 (applicable outside the continental United States (OCONUS)).

(b) The NEPA process includes the systematic examination of possible and probable environmental consequences of implementing a proposed action. To be effective, integration of the NEPA process with other Army project planning will occur at the earliest possible time to ensure—